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Economic and Social Council

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Committee on Non-Governmental Organizations
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Agenda item 8
Consideration of special reports

Special reports

Note by the Secretary-General

1. At its 2004 regular session, the Committee on Non-Governmental Organizations, in accordance with paragraph 55 of Economic and Social Council resolution 1996/31 of 25 July 1996, suspended the consultative status of the organization Indian Movement "Tupaj Amaru", further to the complaint made by the representative of the United States of America at the end of the 2003 regular session.[1]

Background

2. Indian Movement "Tupaj Amaru" is an international non-governmental organization that was granted special consultative status with the Economic and Social Council in 1997.

3. At the regular session of the Committee in 2003, the representative of the United States of America introduced a complaint against Indian Movement "Tupaj Amaru". The United States representative stated that during the fifty-ninth session of the Commission on Human Rights, two representatives of the organization had rushed towards the United States delegation carrying a large cylindrical object. While facing the camera of a Cuban television crew, those two individuals had unfurled a banner, on which were written the letters "PACE", and had chanted anti-American slogans.

4. A Committee member highlighted that the organization had already sent letters of apology to both the United Nations High Commissioner for Human Rights and the head of the Security and Safety Service of the United Nations, explaining that the incident was the personal decision of one individual involved in the incident and that the accreditation of that person to "Tupaj Amaru" had been withdrawn.

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5. Copies of those letters were requested by the Secretariat from the United Nations High Commissioner for Human Rights and the head of the Security and Safety Service of the United Nations for circulation to the Committee.

6. At the 2003 resumed session, the Committee reviewed the report submitted by the non-governmental organization in response to questions posed by the United States delegate at the previous session.

7. The Committee decided that a representative of the organization should appear in person at the 2004 regular session to answer further questions. With regard to the request of the Committee, a letter was sent to the organization on 22 December 2003, requesting the presence of a representative at the 2004 regular session.

8. The representative of the organization failed to attend the 2004 regular session and the representative of the United States requested suspension of the consultative status of the organization for one year. The proposal was carried by a roll-call vote in favour of the suspension.

9. At the substantive session of the Committee in 2004, the Economic and Social Council endorsed the recommendation of the Committee, in accordance with paragraph 57 (a) of Council resolution 1996/31, to suspend the special consultative status of Indian Movement "Tupaj Amaru" for a period of one year, effective 23 July 2004.

10. A request by Indian Movement "Tupaj Amaru" for reinstatement of its consultative status and the response of the Non-Governmental Organizations Section are attached (see annexes I and II).

Notes

[1] E/2003/32 (Part II), para. 97.

instructions from any external source. It has always resolutely opposed corruption in all its forms and manifestations.

(c) As its four-yearly report clearly shows, in its efforts to promote and protect the rights of all peoples and nations, the organization has achieved more than some other non-governmental organizations that merely pay lip service to the ideals of the United Nations, both through its actions in the field of human rights and through its implementation of sustainable projects on behalf of indigenous communities. By its active participation in United Nations forums it has made a substantial contribution to the work of the United Nations and, in particular, of the Council and its subsidiary organs.

Conclusion

The sanction imposed by the Committee, with a total lack of objectivity and impartiality, clearly contravenes the spirit and letter of Economic and Social Council resolution 1996/31, particularly paragraph 57 thereof. The failure to incorporate or observe the rules of procedure, the faulty finding of facts and the imposition of retaliatory measures in a spirit of vengeance reveal a politically motivated determination to punish the organization and silence the voices of indigenous peoples.

For these reasons,

The organization stands by the terms and conclusions of this appeal which, in the absence of a procedure for judicial review, is respectfully brought to the attention of the Committee on Non-Governmental Organizations with a view to the reinstatement of its special consultative status, with effect from the date on which the sanction expired, namely, 22 July 2005.

Annex II

[Original: French]

I have duly noted your letter of 25 October 2005 regarding consideration of the reinstatement of the special consultative status of your organization with the United Nations Economic and Social Council by the Committee on Non-Governmental Organizations.

Unfortunately, it was not possible to include this item in the agenda of the Committee for its May 2005 session, because one year had not elapsed since the suspension of your organization's consultative status by the Council in July 2004. However, the item will be included in the agenda for the Committee's next session, which will be held from 19 to 27 January 2006 in New York. The reinstatement of the consultative status of an organization with the Council has, so far, always been effected only upon the recommendation of the Committee.

I shall inform you of the date on which the Committee will consider the item as soon as the agenda for the Committee's next session has been adopted. Of course, if you wish, you may participate in the meeting and respond to any questions that the Committee may wish to ask concerning your organization.

(*Signed*) Michèle **Fedoroff**
Officer-in-Charge of the Non-Governmental Organizations Section
Department of Economic and Social Affairs